

2024 Regular Session

SENATE BILL NO. 185

BY SENATOR SEABAUGH

CIVIL PROCEDURE. Provides for legislative continuances or extensions. (8/1/24)

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AN ACT

To amend and reenact R.S. 13:4163(C)(1) and (D)(2) and to enact R.S. 13:4163(E)(2)(c), relative to civil procedure; to provide with respect to legislative continuances and extensions; to provide with respect to continuance and extension of deadlines; to provide with respect for time delays; to provide with respect to opposition to a motion for continuance or extension; to provide for attorney fees and court costs; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:4163(C)(1) and (D)(2) are hereby amended and reenacted and R.S. 13:4163(E)(2)(c) is hereby enacted to read as follows:

§4163. Ex parte motion for legislative continuance or extension of time, legislators or employees engaged in legislative or constitutional convention activities

* * *

C.(1) Such preemptory grounds are available for the continuance of any type of proceeding and the extension of any type of deadline or legal delay pertaining to a criminal case, civil case, or administrative proceeding, if the presence,

Proposed law provides that if a motion for continuance or extension pursuant to present law of a deadline is opposed, then the court shall award attorney fees and court costs payable to the client of the member or employee payable by the party or attorney who opposed the motion for legislative continuance or extension.

Present law (R.S. 13:4163(E)) provides the deadlines within which the court or agency shall grant the continuance or extension ex parte.

Proposed law retains present law and provides that if a legal deadline has run, a motion to continue or extend a legal deadline shall be timely if filed within five days prior to a hearing or proceeding on a motion for sanctions or penalties.

Effective August 1, 2024.

(Amends R.S. 13:4163(C)(1) and (D)(2); adds R.S. 13:4163(E)(2)(c))